

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CASE NO. 1:20-CV-396-DCK**

REBECCA SWEAT,)	
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
KILOLO KIJAKAZI, Acting Commissioner of)	
Social Security Administration,)	
)	
Defendant.)	
)	

THIS MATTER IS BEFORE THE COURT on “Plaintiff’s Petition For Attorney Fees Under The Equal Access To Justice Act 28 U.S.C. § 2412” (Document No. 23) filed December 1, 2021. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will grant the motion.

By the instant motion, Plaintiff Rebecca Sweat seeks an award of attorney fees under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412, in the amount of \$5,450.00. Defendant consents to Plaintiff’s request.

IT IS, THEREFORE, ORDERED that “Plaintiff’s Petition For Attorney Fees Under The Equal Access To Justice Act 28 U.S.C. § 2412” (Document No. 23) is **GRANTED**.

IT IS FURTHER ORDERED that the Acting Commissioner of Social Security SHALL pay to Plaintiff the sum of \$5,450.00 in attorney fees, in full satisfaction of any and all claims arising under EAJA, 28 U.S.C. § 2412(d), and upon the payment of such sum this case is dismissed with prejudice. If the award to Plaintiff is not subject to the Treasury Offset Program, payment will be made by check payable to Plaintiff’s counsel, Charlotte Hall, and mailed to her office at

P.O. Box 58129, Raleigh, North Carolina 27658, in accordance with Plaintiff's assignment to her attorney of her right to payment of attorney's fees under the EAJA. If the payment is subject to offset, then any remaining fee will be made payable to Plaintiff and mailed to Plaintiff's counsel's office address.

SO ORDERED.

Signed: December 1, 2021



David C. Keesler
United States Magistrate Judge
